



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,903	07/13/2006	Yoshiyuki Tani	10873.1926USWO	4063
53148 7590 06/22/2009 HAMRE, SCHUMANN, MUELLER & LARSON P.C. P.O. BOX 2902-0902 MINNEAPOLIS, MN 55402				
EXAMINER				
OSILE, MARK A				
ART UNIT		PAPER NUMBER		
1791				
MAIL DATE		DELIVERY MODE		
06/22/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/585,903

Applicant(s)

TANI ET AL.

Examiner

Mark A. Osele

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____
- Paper No(s)/Mail Date ____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent Publication 9-197394 (Akira et al.) or Stadtmueller (U.S. Patent 5,891,297). Akira et al. and Stadtmueller each show a method for peeling a film from a display panel comprising: peeling off an end of a film (Akira et al., element 1; Stadtmueller, element 28) that has been stuck on a display panel (Akira et al., element 2; Stadtmueller, element 32); fixing the peeled end of the film to a roller (Akira et al., element 4; Stadtmueller, element 22) that is adjacent to or in contact with a panel face of the display panel; and peeling off the film from the display panel by rotationally driving the roller (Akira et al., English Abstract and partial translation; Stadtmueller, column 3, lines 48-66, column 4, lines 40-47).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 3, 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Publication 9-197394 (Akira et al.) in view of Mizutani et al. (U.S. Patent 6,258,666). As shown in paragraph 2 above, Akira et al. shows the invention of the independent claim. Akira et al. also shows the roller to have an effective length longer than the short side of the display panel. Akira et al. fails to show the contact plate.

Mizutani et al. shows a peeling roller for removing a film from an electronic substrate wherein a roller, 5, and a contact plate, 6, are pressed by a mechanism to sandwich the film, 4, therebetween (See Figs. 1, 10b, 10c; column 3, lines 26-35; column 4, lines 15-22; column 5, lines 14-16). It would have been obvious to one of ordinary skill in the art at the time of the invention to replace the adhesive patches of Akira et al. with the contact plate of Mizutani et al. because Mizutani et al. shows the contact plate to be a functionally equivalent alternate expedient to the adhesive patches with the advantage that the film will not be contaminated with adhesive (column 3, lines 36-39).

Regarding claim 5, Akira et al. shows the roller to be rotated by a motor, 5.

5. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stadtmueller (U.S. Patent 5,891,297) in view of Mizutani et al. (U.S. Patent 6,258,666). As shown in paragraph 2 above, Akira et al. shows the invention of the independent claim. Stadtmueller also shows the roller to have an effective length longer than the short side of the display panel. Stadtmueller fails to show the contact plate.

Mizutani et al. shows a peeling roller for removing a film from an electronic substrate wherein a roller, 5, and a contact plate, 6, are pressed by a mechanism to sandwich the film, 4, therebetween (See Figs. 1, 10b, 10c; column 3, lines 26-35; column 4, lines 15-22; column 5, lines 14-16). It would have been obvious to one of ordinary skill in the art at the time of the invention to replace the groove of Stadtmueller with the contact plate of Mizutani et al. because Mizutani et al. shows the contact plate to be a functionally equivalent alternate expedient to the groove with the advantage that the film will not be secured without the chance of slipping out of the groove.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over either Akira et al. or Stadtmueller in view of Mizutani et al. as applied to claim 3 above, and further in view of McQuiston. The references show the claimed subject matter except for the toggle clamps. McQuiston shows an apparatus with a bar, 36, for rolling up a strip of material, 20; a contact plate, 38, to press the strip of material against the bar; and bolts, 37, outside of the effective length of the rolling bar to force the contact plate and rolling bar together (See Fig. 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to add bolts or any other conventional connecting means, such as toggle clamps to the apparatus of the references as combined to provide the force for securing the contact plate against the roller because McQuiston shows these connectors to be effective to maintaining the roller and contact plate together. Furthermore, it would have been obvious to place the toggle clamps

outside of the effective length of the roller so as to allow the film to be inserted without being stopped by the connectors, such as shown by McQuiston.

Information Disclosure Statement

7. The information disclosure statement filed June 3, 2009 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gillespie shows a film roller with a contact plate and connectors.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark A. Osele whose telephone number is 571-272-1235. The examiner can normally be reached on M-F 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Philip Tucker can be reached on 571-272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark A Osele/
Primary Examiner, Art Unit 1791
June 18, 2009